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01-03-02

3578 U.S. Pat. 10/03882

UTILITY PATENT APPLICATION TRANSMITTAL (only for continuation and divisional applications under 37 CFR 1.53(b))	Docket No.: P-OD 5078 Prior Application Info: Examiner: A. Chakrabarti Group/Art Unit: 1655
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Address to: COMMISSIONER FOR PATENTS
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Antonio De la Cruz
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This is a request for filing a
 — continuation X divisional

application under 37 CFR 1.53(b), of pending prior application
 serial no. 09/724,764, filed November 28, 2000 (list only
 immediate prior application).

Title: METHODS OF IDENTIFYING OPTIMAL DRUG COMBINATIONS AND
 COMPOSITIONS THEREOF

Inventor(s) (full name of each inventor): Dale R. Pfost
 No abandonment of, or termination of proceedings, has occurred in
 the above-identified prior application.

- X An application based on the prior application as filed
 and containing no new matter is enclosed, consisting
 of:
1 page application cover sheet
58 pages of specification (includes claims and
 abstract)
7 sheets of drawing(s).
- X 3 pages of a copy of the oath or declaration as
 originally filed May 22, 2001, in prior
 application (37 CFR 1.63(d)), U.S. serial no.
 09/724,764, filed November 28, 2000, is
 enclosed.
- A signed statement DELETING inventor(s) named in the
 prior application (37 CFR 1.63(d)(2) and 1.33(b)) is
 attached.
- Nucleotide and/or Amino Acid Sequence Submission is
 enclosed:
 — computer readable copy of sequence listing
 — paper copy of sequence listing, pages — through —
 — Statement Under —
 — Request to Use Computer Readable Form of Sequence
 Listing From Another Application
 — Other: —

5. X Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under item no. 2 of this form, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference herein.
6. Enter the unentered amendment previously filed on under 37 CFR 1.116 in the prior application.
7. A preliminary amendment is enclosed.
8. Small entity status:
a. A small entity statement is enclosed.
b. A small entity statement was filed in prior application serial no. 09/724,764, and such status is still proper and desired.
c. X is no longer claimed.
9. X Amend the specification by:
 inserting before the first paragraph on page 1: or
X deleting the paragraph on page 1 regarding related applications and inserting therefor:

This application is a divisional of application serial no. 09/724,764, filed November 28, 2000, which claims benefit of U.S. provisional application serial no. 60/167,931, filed November 29, 1999, which are incorporated herein by reference.
10. X Cancel in this application original claims 28-59 of the prior application before calculating the filing fee. (At least one original independent claims must be retained for filing purposes.)
11. The prior application is assigned of record to ORCHID BIOSCIENCES, INC.
12. The power of attorney in the prior application is to Cathryn Campbell, Reg. No. 31,815 and David Gay, Reg. No. 39,200.
13. A copy of a change in power of attorney or authorization of agent as filed in the prior application (37 CFR 1.63(d)(4)) is enclosed.
14. X A return receipt postcard is enclosed.
15. X A Patent Application Bibliographic Data Sheet is enclosed.
16. Request for Nonpublication and Certification is enclosed.
17. A copy of the Petition for Extension of Time filed on (date) in prior application serial number is enclosed.
18. X Also enclosed: Appointment of Associate Attorney.

The filing fee is calculated below:

	NUMBER FILED		NUMBER EXTRA		RATE	FEE
TOTAL CLAIMS	27 - 20	=	7	x	\$9 \$18	\$126.00
INDEPENDENT CLAIMS	3 - 3	=	0	x	\$42 \$84	\$0.00
MULTIPLE DEPENDENT CLAIMS _____ YES _____ NO					\$140 \$280	\$0.00
BASIC FEE					\$370 \$740	\$740.00
TOTAL FEE						\$866.00

1003465-123456789

19. X A check in the amount of \$866.00 is enclosed. A duplicate copy of this sheet is enclosed.
20. _____ The filing fee is not enclosed. Do not charge our deposit account.
21. X The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required or credit any overpayment to Deposit Account No. 03-0370. A duplicate copy of this sheet is enclosed.

Address all future communications to:

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4370 La Jolla Village Drive, 7th Floor
San Diego, California 92122
telephone: (858) 535-9001
facsimile: (858) 535-8949
USPTO CUSTOMER NO. 23601

Respectfully submitted,

Date: December 27, 2001

Dale G.
David A. Gay
Registration No.: 39,200
CAMPBELL & FLORES LLP
4370 La Jolla Village Drive
7th Floor
San Diego, California 92122

____ inventor(s) X agent of record
____ assignee of complete interest _____ filed under Sec. 1.34(a)

Document: A copy of a Patent
Application Declaration
Attorney Docket No.: P-OD 5078

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FEE RECORD SHEET

01/07/2002 WARRHAN1 00000026 10034882

01 FC:101

740.00 DP

02 FC:103

126.00 DP

PTO-1556

(5/87)

*U.S. GPO: 2000-488-887/36595